

FARMINGTON CITY PLANNING COMMISSION

Thursday, October 30, 2008

JOINT CITY COUNCIL/PLANNING COMMISSION STUDY/WORK SESSION

Present: Commission Members Paul Barker, Randy Hillier, Craig Kartchner, Rick Wyss, Jim Young, City Planner David Petersen, Assistant City Planner Glenn Symes, Mayor Scott Harbertson, Council Members Paula Alder, Rick Dutson, Sid Young, and Recording Secretary Cynthia DeCoursey.

Attorney Robert McConnell, Client Ron Martinez, and Paralegal Kathi Izatt were also in attendance.

Introduction

The purpose of the work session was to get a general update and overview and to obtain feedback from the Mayor, City Council, and the Planning Commission regarding certain elements of proposed amendments to Chapter 18 of the Zoning Ordinance and related chapters and/or other documents.

- a. Regulatory Plan
- b. Zoning sub-districts
- c. Plan development review process
- d. Site plan and architectural review standards and criteria—developing the public realm.
- e. Other

Rick Dutson (representing the City Council) opened the meeting at 5:35 p.m. He stated that there is some concern about where the City stands regarding this issue. He said that one developer is very concerned about the Regulatory Plan. With regard to the second issue (zoning sub-districts), there is concern that the text is too limiting in design and that it does not allow enough flexibility. He stated that they do not want a constricting text. They would like to have a quick and unbiased review so the project can be built in a timely manner. The consensus is that it is a good principle--how we get there is the issue. **Rick Dutson** then introduced **Susie Petheram** and **Mark Morris**, representatives from **Cooper, Roberts and Simonsen Associates** and turned the time over to them.

Susie Petheram referred to several maps which outline the Regulatory Plan. Their company has created districts that show the various uses and possible plans for these districts. She said that right now most of the districts are determined by the street network that already exists in the City. Many of the developments in the past have been done without regard to all the possible factors: adjacent property owners, streets, etc. They do not want to have it be so strict

that the developers can not use some creativity, but they do want to provide a framework.

David Petersen then showed a flow chart of the current Plan Approval Process (Chapter 18) and explained that they are proposing to change the process that is currently used. He stated that each one of the sub-districts **Susie Petheram** talked about is a zone district. He stated that the City's proposal is to simplify this process, and he showed the proposed changes on the flow chart.

Rick Dutson then made a comment that typically the DRC has been a review process for more academic types of things. **Mr. Dutson** wanted to make sure that the proposal is in compliance with the mixed-use ordinance and expressed his opinion that the process needs to be as simple and limited as possible—no more than three people on the review committee.

Susie Petheram told the group that the reason to show these two processes is to point out that the site plan reviewed by the City and SPARC is really an urban design process. It is not looking at specific detail or special styles, but it is looking at more of the broad aspects of design. A question they asked when developing the plan was how the buildings in the development are going to bring structure to the area. The TMU is not being compromised by development. The specific design aspects (style, colors, etc.) will be reviewed by the developers themselves. The City will not be approving or denying projects based on their architectural style. They will be asking questions such as: "Will this be compatible with other projects in the city?"

David Petersen said that one of the City's proposals is to streamline the process. He then asked the City Council members if they were okay with that. **Sidney Young** stated that one of the Council's goals was to streamline the process, and he thinks the proposal makes a lot of sense. **Mr. Petersen** said that if we adopt this change, the site review will now be the job of City Staff and not the Planning Commission's job. He asked the Planning Commission members present if they are okay with that. **Paul Barker** asked what the purpose of the Planning Commission would be—would they offer feedback on each proposal? The group discussed this issue which will need to be discussed more in the future.

Susie Petheram presented pictures of mixed use projects—some were taken in Denver, and some were taken in various places in Utah and other places. There were many different types of office buildings, residential buildings, commercial properties, landscaping, and street settings shown which gave those in attendance a feel for things that have been successfully done in other places.

When the picture of Bangerter Highway and Jordan Landing Boulevard in West Jordan was shown, **Rick Dutson** and **Craig Kartchner** pointed out that this is exactly the kind of development that Farmington does not want. They commented that the entire development is just a sea of buildings and parking. They felt that there was no "walk-ability" at all.

Susie Petheram finished her presentation and concluded at 6:52 p.m. Another subcommittee meeting has been scheduled for November 12, 2008, and there may be an interim meeting with staff and others before then. **Rick Dutson** expressed his thanks to **Susie Petheram** and everyone else who participated.

Adjournment

The meeting adjourned at 6:58 p.m.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Kevin Poff, Commission Members Paul Barker, Randy Hillier, Craig Kartchner, Rick Wyss, Jim Young, City Planner David Petersen, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey. Steven Andersen and John Bilton were excused.

Chairman Poff called the meeting to order at 7:05 p.m. and welcomed all those in attendance. **Chairman Poff** apologized for starting the meeting a few minutes late. **Craig Kartchner** offered the invocation. **Chairman Poff** said there have been some changes to the agenda. Item #5 regarding approval of a conditional use permit for Garbett Homes has been withdrawn. Item #4 regarding zoning changes from R-2 to R has also been withdrawn. He said that Farmington City is not ready with their housing plan.

APPROVAL OF MINUTES (Agenda Item #1)

The Commission reviewed the minutes of the Planning Commission meeting held September 25, 2008. **Chairman Poff** asked if anyone had any questions or comments. **Paul Barker** pointed out the wording of **Mike Otteson's** comments on p. 4 (5th line from the bottom). He and other Planning Commission members agreed that the sentence "He said there had been very little talk of the people" should be changed to "He said that there had been very little discussion of the impact on the people."

Craig Kartchner then made a motion to approve the minutes (as amended) of the Planning Commission meeting held September 25, 2008. The motion was seconded by **Jim Young** and was approved unanimously.

CITY COUNCIL REPORT (Agenda Item #2)

David Petersen referred to two City Council agendas located in each member's packet. He reported on the proceedings of the City Council meeting held on October 7, 2008 and another meeting on October 21, 2008. At the October 7th meeting, the Moon Park Subdivision requested a zone change from R-2 to R, and that was granted. At the October 21st meeting, the Council reviewed the consideration of the resolution approving the Farmington Ranches Neighborhood Park Master Plan. The City Council has been working with the Farmington Ranches HOA to create a public park to be located north of Eagle Bay Elementary School. They submitted a master plan that a committee has been working on. That issue will come to the Planning Commission as a conditional use, and it might happen at the November 13th meeting. Also at that meeting, several subdivisions located in the north half of Farmington were rezoned from R-2 to R or LR. Also, all of the agreements for the Tuscany Village development located in Farmington (south of the Lagoon billboard) were approved that night. They also talked about the vision statement of the Farmington mixed-use district, but they decided to hold off on the discussion of the vision statement until there is more information. He said that is why you do not have any more information regarding that issue.

PLAT AMENDMENT APPLICATIONS (Agenda Item #3)

Farmington Ranches HOA - Applicant is requesting a vacation of parcel 4D of the Farmington Ranches Phase 4 Subdivision Plat and a recommendation of approval for an amended plan dividing parcel 4D among the adjacent property owners incorporating portions of parcel 4D into the surrounding lots (S-8-08)

Background Information

Glenn Symes said that the Farmington Ranches HOA want to vacate parcel 4D. He pointed out on the map that this is a utility corridor that was originally set aside in the subdivision for common space. Some of the residents have started to use this, and the HOA have decided that this might be used better by the property owners who are adjacent to it. So they are requesting to vacate lots 4D and #430-439 and are requesting approval for an amended plat. He asked if there were any questions:

Chairman Poff said that this is not a public hearing, so the issue will go straight to the Planning Commission. He had the first question: This parcel was not included in the open space requirements for the original subdivision? **Glenn Symes** replied that was correct.

Jim Young asked if it was ever intended for a walkway or trail. **Mr. Symes** said he did not think so. **Chairman Poff** and **Craig Kartchner** both asked if this the only parcel in the subdivision that is like this and what sets it apart. **Mr. Petersen** replied that it is a dead end and has no connectivity.

Brady Crabtree, 972 University Village, Salt Lake City, stated that he is working with the HOA on this issue, and all of the homeowners received notice of this change.

Rick Wyss asked if the homeowner who did not get any allocation of the parcel was happy with the decision and agreed with it. **Mr. Crabtree** said he did not think they were specifically approached about it. **Chairman Poff** said that in the notes it said that property owner declined acceptance of the new portion of open space.

Motion

Rick Wyss moved that the Planning Commission recommend approval of the vacation of Lots 4D and 430 through 439 of the Farmington Ranches Phase 4 Plat and further recommend approval of a plat amendment of said plat to allow portions of Lot 4D to be incorporated into the ownership of adjacent property owners as illustrated in the attached exhibit. **Randy Hillier** seconded and the motion was unanimously approved.

The following findings were established:

1. The Farmington Ranches HOA has approached each owner of real property in Phase 4 of the Farmington Ranches subdivision and arranged proposed ownership boundaries.
2. The easement for the utility transmission lines will remain in place and be incorporated into the amended plat.
3. The proposed plat amendment does not eliminate the existence of substantial usable community open space.

ZONE CHANGE APPLICATIONS (Agenda Item #4)

Farmington City - (Public Hearing) - Farmington City is considering a change of zoning from R-2 to R (Residential) or LR (Large Residential) on parcels in the following subdivisions or PUD's: Floral Grove Estates, Garff Cannon, Oaklane 2, Anderson Amended, Neumann, Lakeview Hills, Willow View, Continental Estates, Hillside Meadow, Parkland, unplatted property on 450 South between 68 East and 148 East (Z-6-08)

As **Chairman Poff** stated earlier, the applicant withdrew this item from the agenda.

CONDITIONAL USE APPLICATIONS (Agenda Item #5)

Garbett Homes - (Public Hearing) - The applicant is requesting approval of a conditional use permit and an adjustment to the requirements for property signs as listed in the sign ordinance of the Farmington City zoning ordinance for the display of a promotional blimp to fly over the north phase of the Farmington Crossing PUD (C-8-08)

As **Chairman Poff** stated earlier, the applicant withdrew this item from the agenda.

ZONING TEXT CHANGE APPLICATION (Agenda Item #6)

Farmington City - (Public Hearing) - Consideration of a recommendation to amend Chapter 11 of the General Plan regarding the "Farmington Commercial Center" and other related general plan text and map changes, and to amend Chapter 18 of the Zoning Ordinance regarding the TOD (Transportation Oriented Development) zone including but not limited to residential density, non-residential building size, permitted and conditional uses, and Project Master Plan (PMP) criteria including, among other things, street type hierarchy and street network design, building form and site envelope standards, off-street parking, landscaping standards, and other various changes (MP-2-08) (ZT-3-08)

David Petersen requested that the Planning Commission continue this agenda item and the related public hearing to the November 13, 2008 Planning Commission meeting.

A motion was made by **Craig Kartchner** to continue this agenda item to November 13, 2008. **Paul Barker** seconded the motion, and it was approved unanimously.

OTHER BUSINESS

Miscellaneous, correspondence, etc. (Agenda Item #7)

- Scenic Byway regulations
- Discussion of "family" definition changes
- Model Ordinance from Provo City regarding "Elderly Persons-Extra Living Space"
- Dwight Poulson rezone request
- Other

Definition of "family"

David Petersen said that at times in the past it has been difficult for the City to apply the definition for the term "family" in the administration of the Zoning Ordinance. **Chairman Poff** questioned why it is important to rethink this definition.

Chairman Poff asked for more clarification on the dwelling unit definition. **Rick Wyss** made a suggestion that since this is not an action item tonight (it is strictly a discussion item) that we spend more time researching this issue. Let's look at some other third-class cities in Utah and find out if the "five or more person's" ordinance has been done in other areas. He also said that the way "non-profit housekeeping unit" is defined; the wording indicates that the housekeeping unit is the person himself. **Mr. Petersen** noticed the difference and said he would change it. **Jim Young** brought up the point that we do not know what the intent was to begin with (on the five person zoning ordinance).

Chairman Poff said he thinks that the question to ask is "does the current definition work, what does not work?" If it is working fine, he believes that we should leave it as it is. **David Petersen** agreed that staff will do more research.

David Petersen said that he and **Glenn Symes** attended a Housing Coalition of Utah conference. One thing that was recommended as a possible solution for some cities is an ordinance that Provo has adopted. This ordinance allows someone 65 or older (single or couple)

to rent a portion of their house out to two people 18 years or older (and their kids). Provo City requires the landlord to register with the City, and the people renting the home must also register each year. It is almost like updating a business license because the City keeps track of these situations. He thinks this could be a great way to provide affordable housing with as little disruption as possible to single-family residential neighborhoods. **Mr. Symes** also suggested that another idea would be to add in persons with disabilities who may need continuous care. This would help them so that they would not have to go through the conditional use process.

Paul Barker said that this certainly negates the objection that he brought up on the zone change. He likes the spirit of this proposal. **David Petersen** discussed the zone changes made in north Farmington recently. He said that almost all of these neighborhoods consisted of single family housing. Some of the subdivisions did not have a single duplex. The purpose of the new zoning was to match what has been there for years. There was a brief discussion about what age would be appropriate in this type of a plan. **Mr. Petersen** then asked if it was okay to pursue this issue, and **Chairman Poff** and the commission members agreed that it would be fine.

Dwight Poulsen, 1288 North Main, presented his issue to the Planning Commission. He would like to re-zone his flag lot (currently zoned LR) so that he could build three town homes. He believes that one larger home would not be feasible. He stated that his own parents would love to relocate to a smaller town home, and he has some other possible tenants. He would like to build three units which would all be owner occupied. He would probably demolish the smaller, older red house in the front, and the three town homes would have a condo feel with 1600 square feet on the main floor. He referred to a map and said that he was looking for feedback to see if this plan might be a possibility.

Rick Wyss stated that he believes that it is inappropriate to call for a straw vote or a non-binding vote from the Planning Commission. It violates the open meetings law, not only on its face but also on the intent. He said he did not see how we could give an opinion on this, because we have not heard from anyone else on this issue. This is why we have a public hearing--so that we can hear from all those who would be affected in addition to the property owner. He said he would be very uncomfortable to give an opinion tonight. He made a recommendation to the Planning Commission that they have **Mr. Poulsen** go to the City staff, submit an application, and go through the process of getting the zone change.

David Petersen referred to a letter from Rocky Mountain Power, a copy of which was in their packets. The Power Company is building a new power line--it is their fourth and last line and will be built in west Farmington.

Mr. Petersen referred to a notice from Benchland Water District regarding the construction of another reservoir to be located in near Shepard Canyon in north Farmington. **Chairman Poff** asked how big it would be compared to the reservoirs we already have. **Mr. Petersen** replied that Scott Parcell of Benchland told him it would be comparable to those in existence. There was a brief discussion as the map was reviewed.

David Petersen then told the Commission about the Community Planner Seminar which will be held on December 11 and 12 (Thursday and Friday) from 8:30 a.m. to 4:00 p.m. in North Salt Lake. The City will pay the tuition fees (\$50 for Trust members; \$75 for non-Trust members). **Chairman Poff** said he realizes that it is an all-day event for two full days, but he

highly recommends attending the Seminar. He said that he and **Rick Dutson** have attended in the past, and it has been very helpful.

David Petersen gave each of the Commission members a copy of **The Commissioner** which is a publication of the American Planning Association. This is the Fall 2008 issue. They have been impressed with some of the articles in this publication and may continue to subscribe.

Closed Session (Agenda Item #8)

David Petersen said that the closed session has been cancelled. **Chairman Poff** asked if there were any more questions/comments. **Mr. Petersen** reminded them that a picture will be taken during the next meeting which is on November 13, 2008. There was some discussion of what to wear and about a possible rescheduling of the picture since some members will not be here in November. It was decided that they will try to take the picture at the meeting on December 4th.

Adjournment

Motion

Rick Wyss made a motion that the meeting be adjourned. **Randy Hillier** seconded the motion, and it passed unanimously. The meeting adjourned at 8:20 p.m.

*Kevin Poff, Chairman
Farmington City Planning Commission*